

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA  
Western Division

**U.S.A. vs. Jarvis Lee Bryant**

**Docket No. 2:03-CR-1-1BO**

**Petition for Action on Supervised Release**

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Jarvis Lee Bryant, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§922(g)(1) and 924(e)(1), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 28, 2003, to the custody of the Bureau of Prisons for a term of 188 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall pay a special assessment in the amount of 100.00 as directed.

On November 9, 2012, the defendant's judgment, upon a motion to the court pursuant to 28 U.S.C. § 2255, was amended, reducing the period of imprisonment from 188 months to time served.

Jarvis Lee Bryant was released from custody on November 9, 2012, at which time the term of supervised release commenced.

A Violation Report was submitted to the court on August 21, 2013, advising the court that the defendant had tested positive for cocaine use on July 30, 2013. The defendant admitted using cocaine, but he refused the opportunity to participate in treatment. He was verbally reprimanded for his drug use, his drug testing frequency was increased, and his reporting requirements were also increased. The court agreed to allow the defendant's supervision to continue with no additional action taken; however, the defendant was advised that additional use and refusal to participate in treatment would result in a return to court.

On October 4, 2013, the court was notified that the defendant has also tested positive for cocaine on August 16, 2013. Despite laboratory tests showing otherwise, the defendant denied using cocaine. In lieu of returning to court as previously reported, the conditions of supervision were modified to require the defendant serve a period of two consecutive weekends in the custody of the Bureau of Prisons, as arranged by the Bureau of Prisons and the designated facility.

On March 10, 2014, a Violation Report was submitted to the court, advising the court that the defendant had been charged with Assault on a Female and Injury to Personal Property on February 15, 2014. The defendant's girlfriend called the probation officer and reported her mother called law enforcement after the defendant and girlfriend got into an argument involving their daughter. The defendant was ordered to participate in counseling for six months, prior to returning to state court. Supervision was permitted to continue pending the defendant's participation in counseling and subsequent disposition in state court. The case remains pending in state court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On May 6, 2014, the defendant submitted a random urine sample that tested positive for cocaine use. When questioned about his drug use, the defendant denied using cocaine, and once again, denied the need for substance abuse treatment. Rather than return to court for revocation proceedings, it is recommended the defendant serve a period of ten days of intermittent confinement in the custody of the Bureau of Prisons, as arranged by the Bureau of Prisons and the designated facility. The defendant has been warned that he has no additional room for error and another positive drug test will result in a return to court. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall serve a period of 10 days of intermittent confinement in the custody of the Bureau of Prisons, and shall abide by the rules and regulations of the Bureau of Prisons and the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

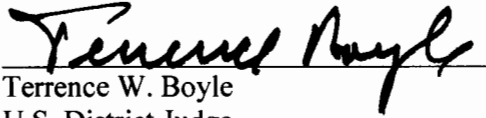
Reviewed and approved,  
/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising US Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.  
/s/Scott Plaster  
Scott Plaster  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8808  
Executed On: June 20, 2014

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**ORDER OF THE COURT**

Considered and ordered the 23 day of June, 2014, and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge